

REMARKS

This Response is submitted in reply to the August 30, 2007 Office Action, and in accordance with the telephone interview courteously granted to Applicant's representatives on January 14, 2008.

A Petition for a two-month extension of time is submitted herewith. Please charge Deposit Account No. 02-1818 to cover the cost of the extension of time and any other fees due in connection with this Response.

The Office Action rejected Claims 1 to 14, 16 to 19, and 21 to 24 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,168,523 to Piechowiak ("Piechowiak") in view of U.S. Patent No. 6,186,894 to Mayeroff ("Mayeroff").

Applicant respectfully disagrees with the rejections of Claims 1 to 14, 16 to 19, and 21 to 24 over Piechowiak and Mayeroff. Nevertheless, and as discussed during the interview, Applicant has amended certain of the claims to clarify the existing claim elements.

Piechowiak discloses a gaming system which includes a plurality of linked gaming devices connected to a common controller. The generation of certain symbol combinations on the respective gaming devices provide awards to the individual players playing on the gaming devices. In addition to this mode of play, the gaming system is associated with a bonus feature where the generation of combinations of bonus symbols (i.e., bonus hits) causes the controller to build up a pooled bonus value based upon the values of the combinations of bonus symbols generated by the linked gaming devices. When a player playing at one of the linked gaming devices obtains a bonus hit which causes the accumulated bonus value to meet or exceed a predetermined threshold value, a bonus award is provided to the player who caused the threshold value to be exceeded.

Mayeroff discloses a gaming device which includes a primary game having a plurality of reels and at least one payline associated with the reels. The gaming device further includes a secondary or bonus game having a plurality of reels and at least one payline associated with the reels. In operation, a player makes a wager on at least one of the paylines of the primary game. The gaming device spins the reels and provides to the player any awards associated with winning symbol combinations indicated on the

wagered-on paylines. The gaming device determines a number of spins to provide to the player for the bonus game based on one of: (i) the number of wagered-on paylines in the primary game, (ii) the number of credits wagered on each payline in the primary game, and (iii) the symbols combinations generated in the primary game. Once the player achieves a designated combination of symbols in the primary game, the gaming device provides the player with the determined number of spins for use in the bonus game.

Amended independent Claim 1 is directed to a gaming device which includes, among other elements, a meter displayed in the bonus game which is changeable after the bonus game is triggered, wherein: (i) upon triggering the bonus game, the meter is at an initial predetermined level, (ii) each time a change of the meter occurs during the bonus game, the change is of an amount which is based on the second component of the wager in the base game, wherein the amount of the change is independent of any outcome achieved in the base game, and (iii) when the meter reaches a designated level, an award generation event associated with the meter is provided to the player.

Page 3 of the Office Action states that Piechowiak does not disclose that each time a change of the meter occurs during the bonus game, the change is based on the second component of the wager in the base game. The Office Action further states that, instead, Piechowiak teaches that obtaining a designated symbol or combination of bonus symbols causes a change in the meter during the bonus game (i.e., causes the pooled bonus value to increase). The Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time of invention to combine the bonus game and bonus meter of Piechowiak with Mayeroff's disclosed method of changing the meter based on a second wagering component, as Piechowiak states that any criteria may be used in determining when to award a bonus.

Regardless of whether it would have been obvious to modify Piechowiak to include Mayeroff's method of changing the meter based on a wagering component, the gaming device resulting from the combination of Piechowiak and Mayeroff does not achieve the gaming device of amended independent Claim 1. More specifically, Piechowiak and Mayeroff, either alone or in combination, do not include a meter displayed in the bonus game which is changeable after the bonus game is triggered,

wherein each time a change of the meter occurs during the bonus game, the change is of an amount which is based on the second component of the wager in the base game, wherein the amount of the change is independent of any outcome achieved in the base game.

During the interview, the Examiner referred to one embodiment of Piechowiak in which each individual gaming machine includes a hit counter that is incremented by amounts relating to any bonus hits achieved on that machine (Col. 7, lines 26 to 35). In one such embodiment, the individual hit counter is incremented by the value of the bonus hit. Even assuming that Piechowiak discloses changing or incrementing an individual hit counter by the value of a bonus hit, that value and, therefore, the change in the hit counter is based on the outcome or bonus hit achieved. Thus, the gaming device of Piechowiak does not include a meter, wherein each time a change of the meter occurs during the bonus game, the change is of an amount which is based on the second component of the wager in the base game, wherein the amount of the change is independent of any outcome achieved in the base game.

As discussed during the interview, Mayeroff also does not disclose a meter displayed in the bonus game which is changeable after the bonus game is triggered, wherein each time a change of the meter occurs during the bonus game, the change is of an amount which is based on the second component of the wager in the base game, wherein the amount of the change is independent of any outcome achieved in the base game. In Mayeroff, upon triggering the bonus game, the gaming device provides the player with a number of bonus spins to use in the bonus game. In one embodiment, the provided number of bonus spins is based on the number of wagered-on paylines in the primary game (i.e., the meter in Mayeroff is initially set based on the wager amount). As the player uses each of the provided spins in the bonus game, the meter changes or decrements by one to track how many bonus spins are left (i.e., the meter in Mayeroff changes independent of the wager amount). For example, if a player wagers on nine paylines in the primary game, the gaming device provides nine bonus spins when the bonus game is triggered (see Mayeroff, Col. 7, lines 35 to 38). In this example, the meter in the Mayeroff game is initially set to include nine bonus spins upon triggering of the bonus game. After the player uses a first one of the bonus spins in the bonus

game, the meter decrements by one. In this manner, the gaming device in Mayeroff keeps track of the player's spins during the bonus game.

Accordingly, Mayeroff does not include a meter, wherein each time a change of the meter occurs during the bonus game, the change is of an amount which is based on the second component of the wager in the base game, wherein the amount of the change is independent of any outcome achieved in the base game. Therefore, Mayeroff does not remedy the deficiencies in Piechowiak.

For at least the reasons discussed above, Applicant respectfully submits that amended independent Claim 1 and the claims depending therefrom are each patentably distinguished over Piechowiak and Mayeroff.

Amended independent Claims 16 and 21 each include certain similar elements to amended independent Claim 1. For reasons similar to those discussed above with respect to amended independent Claim 1, Applicant respectfully submits that amended independent Claims 16 and 21 and the claims depending from amended independent Claims 16 and 21 are each patentably distinguished over Piechowiak and Mayeroff.

The Office Action rejected Claims 15, 20, and 25 under 35 U.S.C. 103(a) as being obvious over Piechowiak, Mayeroff, in view of U.S. Patent No. 6,155,925 to Giobbi et al. Applicant respectfully submits that the patentability of amended independent Claims 1, 16, and 21 renders this rejection moot.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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